

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 4/23/2021
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

JORGE CASTILLO,

Defendant.

1:19-cr-784-GHW

ORDER

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GREGORY H. WOODS, District Judge:

For the reasons stated on the record during the April 22, 2021 conference:

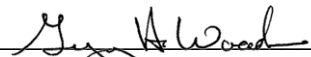
- The Government's motion to preclude Defendant from raising a duress defense is denied as moot. Defense counsel stipulated on the record that Mr. Castillo will not offer, nor elicit during cross-examination, argument or evidence supporting a duress defense, nor that Mr. Castillo was intimidated or threatened by anyone regarding the conduct at issue in this case.
- The Government's motion to admit co-conspirator statements is denied without prejudice.
- Mr. Castillo's motion to preclude the Government from entering evidence or testimony related to CC-1's phone calls that occurred prior to the beginning of 2019, is denied.
- The Court is deferring its decision on Mr. Castillo's motion to preclude the Government from offering testimony by the UPS investigator about his conversation with Mr. Castillo pending any objections raised by Mr. Castillo at trial.
- The Court is deferring its decision on Mr. Castillo's motion to require the Government to present the complete version of its video evidence, rather than excerpts, pending the parties conferring on that issue.

- The Court is deferring its decision on the Government's motion for, and Mr. Castillo's objections to, the admission of business records into evidence pending the parties conferring on that issue.
- Mr. Castillo's motion for a pretrial hearing to assess the language abilities of the UPS investigator who overheard Mr. Castillo's conversation with CC-2, is denied.
- The Government's motion to preclude Mr. Castillo from introducing information about Mr. Castillo's background is denied as to information about Mr. Castillo's language skills and educational background. Mr. Castillo withdrew his objections to the Government's motion with respect to the remaining categories of background information described in the Government's opening brief, subject to whether Mr. Castillo testifies at trial.
- The Government's motion to preclude Mr. Castillo from offering evidence about potential punishment or collateral consequences of conviction is granted.
- Mr. Castillo withdrew his motion regarding the Government's theory of a single continuing conspiracy (rather than a multiplicity of conspiracies). Therefore, that application is denied as moot.
- Mr. Castillo's motion to preclude the Government from offering expert testimony or scientific reports is denied as moot.
- Mr. Castillo's motion to preclude the Government from offering evidence of cash possessed by Mr. Castillo at the time of his arrest is denied without prejudice.

The Clerk of Court is directed to terminate the motions pending at Dkt. Nos. 58 and 63.

SO ORDERED.

Dated: April 23, 2021
New York, New York



GREGORY H. WOODS
United States District Judge